

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

EX PARTE OR LATE FILED



94-105

September 16, 1994

DOCKET FILE COPY ORIGINAL

VIA FEDERAL EXPRESS

Hon. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

SEP 16 1994

Re: PR File No. 94-SP3; Ex Parte Presentation

Dear Mr. Caton:

In accordance with 47 C.F.R. § 1.1206(a)(2), I am submitting herewith two copies of the attached letter. As indicated in the attached letter to Ms. Harrison, the California Public Utilities Commission ("CPUC") is submitting under seal, pursuant to Section 0.457(d)(2)(i) of the Rules and Regulations of the Federal Communications Commission, a revised copy of Appendix J to its petition in the above-referenced matter. Appendix J contains subscriber data deemed commercially sensitive by the cellular industry, and hence submitted by the CPUC under seal, and publicly-available pricing data, which the CPUC has publicly disclosed.

Sincerely,

Ellen S. LeVine
Principal Counsel

ESL:dbn

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September 16, 1994

VIA FEDERAL EXPRESS

Regina Harrison
Private Radio Bureau
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: PR File No. 94-SP3; Ex Parte Presentation

Dear Ms. Harrison:

On September 13, 1994, the California Public Utilities Commission ("CPUC") provided to you additional information, as requested, in connection with its Request for Proprietary Treatment of Documents Used In Support of Petition to Retain Regulatory Authority Over Intrastate Cellular Service Rates ("Request for Proprietary Treatment"), filed in conjunction with the CPUC's petition in the above-referenced docket.

Among other things, we provided unredacted copies of Appendices I and J that mistakenly redacted publicly available pricing data which has now been unredacted. We further indicated that some of the pricing data contained in Appendices I and J was corrected to reflect accurately in our analysis the information contained in the tariffs.

Please be aware that Appendix J continues to include data which the CPUC has treated as confidential pursuant to Section 0.457 (d)(2)(i) of the Rules and Regulations of the Federal Communications Commission ("FCC"). Specifically, this data contains information about the number of subscribers per pricing plan which the cellular carriers believe is commercially sensitive information, and hence, should remain confidential.

For your convenience, we are providing to you under seal a revised unredacted copy of Appendix J which contains the corrected pricing data (which no longer remains redacted) and subscriber information (which continues to remain redacted).

Please feel free to call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Ellen S. LeVine'.

Ellen S. LeVine
Principal Counsel

ESL:dbn

(enclosure)

EX PARTE OR LATE FILED

STATE OF CALIFORNIA

PETE WILSON, Governor

PUBLIC UTILITIES COMMISSION

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Ellen S. LeVine
Principal Counsel

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